

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 15-23 are currently pending in the application. Claims 1-14 are canceled; and new Claims 15-23 are added by the present amendment. Support for new Claims 15-23 can be found in the original specification, claims and drawings.¹ No new matter is presented.

In the outstanding Official Action, Claims 1, 3, 5-8, 11 and 13 were rejected under 35 U.S.C. § 112, second paragraph; Claims 11 and 13 were rejected under 35 U.S.C. § 101; Claims 1-6 and 9-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Kuga (U.S. Patent No. 5,686,940); and Claims 7 and 8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kuga in view of Lee (U.S. Pre-Grant Pub. 2003/0234799).

In response to the rejection of the claims under 35 U.S.C. § 112, second paragraph, Claims 1-14 are canceled, thereby rendering this rejection moot. Nonetheless, new Claims 15-23 are presented which correspond to the previously claimed subject matter,² but are definite and do not include the terminology noted as indefinite in the outstanding Official Action.

Accordingly, Applicants respectfully submit that new Claims 15-23 are definite and particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

Further, in the outstanding Official Action, Claims 11 and 13 were rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. As noted above, Claims 11 and 13 are canceled. However, new Claim 19 is presented which recites “a computer readable medium including computer program instructions that cause a computer to execute a method for operating a display device ...” and, therefore, is directed to statutory subject matter.

¹ e.g., specification, Figs. 1-3 and corresponding description.

² e.g., new Claim 15 is based on original Claims 1 and 6; new Claims 16-18 correspond to original Claims 1, 7 and 8; and new Claims 19-23 are apparatus claims corresponding to new method Claims 15-18.

Further, new independent Claim 15 is directed to a method and new independent Claim 20 is directed to an apparatus, which are both statutory.

Accordingly, Applicants respectfully submit that all of new Claims 15-23 are directed to statutory subject matter.

In the outstanding Official Action, Claims 1-6 and 9-14 were rejected under 35 U.S.C. § 102(b) as anticipated by Kuga, and Claims 7-8 were rejected under 35 U.S.C. § 103(a) as unpatentable over Kuga in view of Lee. As discussed above, Claims 1-14 are canceled by the present amendment, thereby rendering the above-noted rejections moot. Nonetheless, Applicants respectfully submit that new independent Claims 15, 19 and 20 recite novel features clearly not taught or rendered obvious by the applied references.

Specifically, new independent Claim 15 recites a method for operating a display device, comprising:

generating user position information of a user in relation to a display of said display device, wherein said user position information is descriptive of a distance of the user with respect to said display;
changing a display mode for displaying information on said display depending on said user position information, *wherein in said display mode an amount of said displayed information depends on said user position information*; and
displaying said information on said display based on said display mode.

New independent Claims 19 and 20, while directed to alternative embodiments, recite substantially similar features. Therefore, the remarks and arguments presented below are applicable to each of independent Claims 15, 19 and 20.

As described in an exemplary embodiment at Fig. 1 and p. 8, line 25-p. 9, line 2 of the specification, the position of a user (e.g., distance from the display) is determined relative to a display device. Then, a display mode is changed based on the user position information and, as depicted in Figs. 2A-2B, the *amount of information* displayed depends on the user position information (e.g., less information is displayed in larger font if the user is located at

a distance further away from the display device, whereas more information in a smaller font is displayed if the user is detected to be close to the display device). The practical applications of such a configuration are described at pp. 7-8 of the specification.

Turning to the applied references, Kuga describes a distance sensor for detecting the distance between a display panel and an image viewer on a display apparatus. An image signal supplied to the display panel is controlled based on the distance detected by the distance sensor to allow for a changeover between an enlarged image and a reduced image or between scrolling and stopping of a text or between moving and stationary display of a moving image.³

Kuga, however, fails to teach or suggest changing a display mode for displaying information on said display depending on said user position information “wherein in said display mode ***an amount of said displayed information depends on said user position information***,” as recited in new independent Claim 15.

In contrast, as described at col. 1, lines 59-63 of Kuga, the changeover between the enlargement and reduction of an image, the scrolling and stopping of a text, and the moving display and the stationary display of a moving image is made according to the detected distance of a user. Therefore, as shown in Figs. 2 and 3 of Kuga the amount of information displayed on a display remains the same, but the image may be enlarged or reduced based on the detected distance of the user. Further, Kuga describes that the scrolling of text or the moving of an image may be stopped when it is detected that the user turns her body toward the display.⁴

Thus, Kuga describes adjusting the size of displayed information or controlling whether text is scrolled or a moving image is paused based on a detected user position. However, Kuga does not describe that the ***amount of information*** displayed on the display

³ Kuga, Abstract.

⁴ Id., col. 3, line 66 - col. 5, line 45.

device is changed based on a user's position. Specifically, Kuga describes graphically effectuating the way information is presented, but does not describe that the amount of information displayed depends on a user's detected position.

Therefore, Kuga fails to teach or suggest changing a display mode for displaying information on a display depending on a user's position information "wherein in said display mode *an amount of said displayed information depends on said user position information*," as recited in new independent Claim 15.

Lee, the secondary reference, similarly describes a method for adjusting a size of an image in a computer system when the distance between the display apparatus (10) and the user is changed. As noted at paragraph [0030] and Figs. 5 and 6 of Lee, cited in the outstanding Official Action, the size of the same piece of information may be changed based on a detected user's location. However, Lee, similar to Kuga, does not describe changing the *amount of information* displayed based on the detected position of a user.

Therefore, Lee also fails to teach or suggest changing a display mode for displaying information on a display depending on user position information "*wherein in said display mode an amount of said displayed information depends on said user position information*," as recited in new independent Claim 15.

Therefore, Kuga and/or Lee, neither alone nor in combination, teach or suggest the above differentiated features recited in new independent Claim 15, and Claim 15 is believed to be patentable over these references. For substantially similar reasons, it is also submitted that new independent Claims 19 and 20 patentably define over Kuga and/or Lee. Also, Claims 16-18 and Claims 21-23 depend from new independent Claims 15 and 20, respectively, and are therefore also believed to be patentable over the applied references.

Consequently, in view of the present amendment and in light of the foregoing comments, it is respectfully submitted that the invention defined by Claims 15-23 is definite and patentably distinguishing over the applied references. The present application is therefore believed to be in condition for formal allowance and an early and favorable reconsideration of the application is therefore requested.

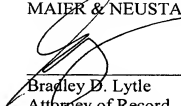
Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Customer Number
22850

Tel: (703) 413-3000
Fax: (703) 413 -2220
(OSMMN 06/04)

BDL:ATH\la



Bradley D. Lytle
Attorney of Record
Registration No. 40,073

Andrew T. Harry
Registration No. 56,959